

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MICHIGAN**

Bankers Life and Casualty Company,

Plaintiff,

vs.

Brian Knox and Jeffrey Prior,

Defendants.

Case No: 1:18-cv-00220

Hon. Paul L. Maloney

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**ORDER ON PLAINTIFF BANKERS LIFE AND CASUALTY COMPANY'S
MOTION FOR TEMPORARY RESTRAINING ORDER**

This matter having come before the Court on the Motion for Temporary Restraining Order filed by Plaintiff Bankers Life and Casualty Company ("Bankers Life"), the Court having reviewed the Motion and the supporting declarations and exhibits, the Court hereby finds as follows:

1. Bankers Life has demonstrated they will suffer irreparable harm if Defendants Brian Knox (“Knox”) and Jeffrey Prior (“Prior”) are not temporarily enjoined.

2. The balance of harms favors an injunction based on the materials presented by Bankers Life related to the misappropriation of trade secrets by Knox and Prior, as well as those Knox and Prior’s breaches of their respective agreements with Bankers Life.

3. The issuance of the temporary restraining order is not adverse to the public interest. The public interest is served by the protection of trade secrets and contracts which protect trade secrets.

4. Bankers Life has established a likelihood of success on the merits of their claims for breach of contract and misappropriation of trade secrets pursuant to the federal Defend Trade Secrets Act (“DTSA”) and the Michigan Uniform Trade Secrets Act (“MUTSA”). Bankers Life has established a likelihood that information, including Personally Identifiable Information related to Bankers Life’s policyholders is a trade secret under both the DTSA and MUTSA. Bankers Life has also demonstrated it takes precautions to protect such information, it spends considerable effort and money to develop such information, and Knox and Prior have misappropriated such information.

THEREFORE, it is hereby **ORDERED** that Defendants Knox and Prior are temporarily restrained from the date of this Temporary Restraining Order through and including the conclusion of the hearing on Bankers Life’s Motion for Preliminary Injunction as follows:

a) Defendants Knox and Prior are ordered to return all copies of policyholder information each Defendant removed or copied from Bankers Life, and any documents or summaries containing such information, within **three** business days of the date of this Order;

- b) Defendants Knox and Prior are prohibited from using copies of policyholder information each Defendant removed or copied from Bankers Life, and any documents or summaries containing such information, from the date of this Order through the preliminary injunction hearing in this matter;
- c) This matter is set for a preliminary injunction hearing on March 16, 2018 at 9:00 a.m. at 410 W. Michigan Avenue, Kalamazoo, Michigan 49007.
- d) Plaintiffs shall serve Defendants with a copy of this order, along with a copy of the motion, summons and complaint no later than 5 p.m. on Tuesday, March 6, 2018. Plaintiff shall file a proof of service.
- e) Defendants shall answer the motion by 12:00 p.m. on Monday, March 12, 2018.
- f) The Court has taken the issues of attorney's fees and bond under advisement.

SO ORDERED this Second day of March, 2018.

By the Court:

/s/ Paul L. Maloney
United States District Court Judge